



U.S. Customs and Border Protection

[1651-0015]

Application for Extension of Bond for Temporary Importation (Form 3173)

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day Notice and request for comments; Revision of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the *Federal Register* to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651-0015 in the subject line and the agency name. Please use the following method to submit comments:

Email. Submit comments to: CBP_PRA@cbp.dhs.gov.

Due to COVID-19-related restrictions, CBP has temporarily suspended its ability to receive public comments by mail.

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, D.C. 20229-1177, Telephone number 202-325-0056 or via email CBP_PRA@cbp.dhs.gov. Please note that the contact information provided here is solely

for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP website at <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Application for Extension of Bond for Temporary Importation

OMB Number: 1651-0015

Form Number: CBP Form 3173

Current Actions: CBP proposes to extend the expiration date of this information collection and to revise this information collection to allow electronic submission via the Document Image System (DIS). There is no change to the information collected and no

change to CBP Form 3173.

Type of Review: Revision

Affected Public: Businesses

Abstract: Imported merchandise which is to remain in the customs territory for a period of one year or less without the payment of duties with the intent to destroy or export is entered as a temporary importation of goods under bond (TIB), as authorized under the Harmonized Tariff Schedule of the United States (HTSUS) (19 U.S.C. 1202). The general requirements for all TIB categories and specific rules for certain types of goods are set forth the notes to Chapter 98 (HTSUS), and in the U.S. notes, article provisions, and rates of duty columns to subchapter XIII. Consistent with 19 CFR § 10.37, when this time period is not sufficient, importers and brokers may request an extension by submitting a CBP Form 3173, "*Application for Extension of Bond for Temporary Importation*", either electronically or manually, to the Center Director. The period of time may be extended for not more than two further periods of 1 year each, or such shorter periods as may be appropriate. An Extension may be granted by CBP, upon written or electronic submission of a CBP Form 3173, provided that the articles have not been exported or destroyed before receipt of the application, and liquidated damages have not been assessed under the bond before receipt of the application. TIB extensions requested by the Trade will automatically be accepted in the Automated Customs Environment (ACE), but CBP can deny an extension as necessary. CBP Form 3173 is provided for in 19 CFR 10.37 and is accessible at: <https://www.cbp.gov/newsroom/publications/forms?title=3173>.

CBP published its plan to conduct a test of the National Customs Automation

Program (NCAP) concerning document imaging in the Federal Register (77 FR 20835), on April 4, 2012. Under the test, certain ACE participants are able to submit electronic images of a specific set of CBP and Participating Government Agency (PGA) forms and supporting information to CBP. Specifically, importers, and brokers, are allowed to submit official CBP documents and specified PGA forms via the Electronic Data Interchange (EDI). Although the first phase of the DIS test was limited to certain CBP and PGA forms, the DIS Guidelines were updated over time to include various entry summary documents.

This information collection is necessary to ensure compliance with 19 CFR § 10.37 and the DIS guidance.

Proposed Change:

CBP Form 3173 is considered an entry summary document, and ACE participants will be able to submit the CBP Form 3173 electronically through the Document Image System (DIS).

Type of Information Collection: Application for Extension of Bond for Temporary Importation (Form 3173)

Estimated Number of Respondents: 1,822

Estimated Number of Annual Responses per Respondent: 14

Estimated Number of Total Annual Responses: 25,509

Estimated Time per Response: .217 hours

Estimated Total Annual Burden Hours: 5,527

Dated: February 16, 2022.

Seth D. Renkema,
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U.S. Customs and Border Protection.

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